

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: MOORE, et al.

Application Number: 09/084,491

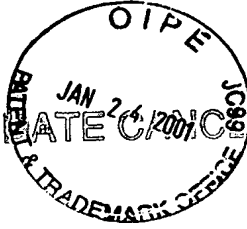
Filed: May 27, 1998

Title: Tissue Plasminogen Activator-Like Protease

Art Unit: 1652

Examiner: E. Slobodyansky

Attny. Docket No. PF378



**DECLARATION OF PAUL MOORE, REINHARD EBNER
AND STEVEN RUBEN UNDER 37 C.F.R. § 1.131**

Commissioner of Patents
Washington, D. C. 20231

Sir:

Each of the inventors in the captioned application, Paul Moore, Reinhard Ebner, and Craig Rosen declare and state as follows:

1. I am an inventor of the subject matter described and claimed in the above-identified U.S. patent application, which is assigned to Human Genome Sciences, Inc. (HGS). The work described below occurred at HGS which is located in Rockville, Maryland, USA.

2. The above-identified patent application relates to the isolation and characterization of a cDNA encoding a novel gene product designated Tissue Plasminogen Activator-Like Protease ("t-PALP").

3. At least fifty contiguous nucleotides of nucleotide positions 630 to 750 of SEQ ID NO:1, which is disclosed in the captioned application, were determined at HGS prior to May 12, 1997.

4. Attached hereto as Exhibit A is a redacted printout of data from IRIS (the HGS electronic documentation system), identifying a specific sequencing contig designated "HMSIB42X" obtained by sequencing the cDNA clone designated "HMSIB42." The "Date Sequenced" redacted from Exhibit A is prior to May 12, 1997.

5. The HGS clone identifier was used to identify the t-PALP cDNA clone HMSIB42 when it was deposited with the American Type Culture Collection (ATCC) on May 8, 1997, and later was assigned ATCC Accession No. 209023. (See, Exhibit B).

6. At least fifty contiguous nucleotides of nucleotide positions 763 to 883 as disclosed in Exhibit A correspond to the sequence disclosed at nucleotide positions 630 to 750 in Figure 1 of the above-identified application, a copy of which is attached herewith as Exhibit C. The cDNA clone HMSIB42 (ATCC Deposit No.209023) and Exhibit A both contain the 50 contiguous nucleotides of 630-750 of SEQ ID NO:1 shown in the above-identified application (Exhibit C).

7. I declare further that all statements made in this Declaration are of my own knowledge and are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 1/25/01

Paul A. Moore
Paul A. Moore

Dated: 01/25/2001

J. Ebner
Reinhard Ebner

Dated: 1/25/01

Steven M. Ruben
Steven M. Ruben

Sequence Information

Gene Name:

HGS Code:

Sequence ID: HMSIB42X

Library Name:

Library Catalog:

Date Sequenced:

Lab Sequenced: HGS

Class:

Date Scored:

Lab Scored: HGS

Previous Class:

Search Results

Sequence

LOCUS HMSIB42X

DEFINITION

ORIGIN

1

61

121

181

241

301

361

421

481

541

601

661

721

GGGCTACG TCGTGGGCAT

781 TACCATGATG GTCATCATCA TTCCCATCGG AGCTGGCATC ATCTTGGGCT ACTCCTACAA

Human Genome Sciences, Inc.
Sequence Worksheet
HGS HMSIB42X:

841 GAGGGGGAAG GATTTCGAAAG AACAGCATGA TCAGAAAAGTA TGT

901

961

1021

1081

1141

1201

1261

1321

1381

1441

1501

1561

1621

1681

1741

1801

1861

1921

1981

2041

2101

2161

2221

2281

2341

2401

Sequence Notes



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-416-4366

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

MAY 10 1997

To: (Name and Address of Depositor or Attorney)

HGS PATENT DEPT.

Human Genome Sciences, Inc.
Attn: Robert H. Benson
9410 Kay West Avenue
Rockville, MD 20850

Deposited on Behalf of: Human Genome Sciences, Inc. (Docket Nos. PS029 and PF378)

Identification Reference by Depositor:

ATCC Designation

DNA Plasmid HMS1842

209023

The deposits were accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposits were received May 8, 1997 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 15, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: May 15, 1997

Figure 1
t-PALP
1/3

1 TTACCAGAACAGCATAACAAGGGCAGGTCTGACTGCAAGCTGGGACTGGGAGGCAGAGCC 60

61 GCCGCCAAGGGGGCCTCGGTAAACACTGGTCGTTCAATCACCTGCAAGACGAAGAGGCA 120

121 AGGATGCTGTTGGCCTGGGTACAAGCATTCTCGTCAGCAACATGCTCCTAGCAGAAGCC 180
1 M L L A W V O A F L V S N M L L A E A 19

181 TATGGATCTGGAGGCTGTTTCTGGGACAACGGCCACCTGTACCGGGAGGACCAGACCTCC 240
20 Y G S G G C F W D N G H L Y R E D Q T S 39

241 CCCGCGCCGGGCCTCCGCTGCCTCAACTGGCTGGACGCGCAGAGCGGGCTGGCCTCGGCC 300
40 P A P G L R C L N W L D A Q S G L A S A 59

301 CCCGTGTGCGGGGCGGCAATCACAGTTACTGCCGAAACCCGGACGAGGACCCGCGCGGG 360
60 P V S G A G N H S Y C R N P D E D P R G 79

361 CCCTGGTGCTACGTCACTGGCGAGGCGGCGCTCCCTGAGAAACGGCCTTGCGAGGACCTG 420
80 P W C Y V S G E A G V P E K R P C E D L 99

421 CGCTGTCCAGAGACCACCTCCCAGGCCCTGCCAGCCTTCACGACAGAAATCCAGGAAGCG 480
100 R C P E T T S Q A L P A F T T E I Q E A 119

481 TCTGAAGGGCCAGGTGCAGATGAGGTGCAGGTGTTGCTCCTGCCAACGCCCTGCCCCGCT 540
120 S E G P G A D E V Q V F A P A N A L P A 139

541 CGGAGTGAGGCGGCAGCTGTGCAGCCAGTGATTGGGATCAGCCAGCGGGTGCGGATGAAC 600
140 R S E A A A V Q P V I G I S Q R V R M N 159

601 TCCAAGGAGAAAAAGGACCTGGGAACTCTGGGCTACGTGCTGGGCATTACCATGATGGTG 660
160 S K E K K D L G T L G Y V L G I T M M V 179

661 ATCATCATTGCCATCGGAGCTGGCATCATCTTGGGCTACTCCTACAAGAGGGGGAAGGAT 720
180 I I I A I G A G I I L G Y S Y K R G K D 199

721 TTGAAAGAACAGCATGATCAGAAAGTATGTGAGAGGGAGATGCAGCGAATCACTCTGCCC 780
200 L K E Q H D Q K V C E R E M Q R I T L P 219

781 TTGTCTGCCTTCACCAACCCACCTGTGAGATTGTGGATGAGAAGACTGTCGTGGTCCAC 840
220 L S A F T N P T C E I V D E K T V V V H 239

841 ACCAGCCAGACTCCAGTTGACCCTCAGGAGGGCAGCACCCCCCTTATGGGCCAGGCCGGG 900
240 T S Q T P V D P Q E G S T P L M G Q A G 259

Figure 1
t-PALP
2/3

901	ACTCCTGGGGCCTGAGCCCCCCCAGTGGGCAGGAGCCCATGCAGACACTGGTGCAGGACA	960
260	T P G A *	263
961	GCCCACCCTCCTACAGCTAGGAGGAACCTACCACTTTGTGTTCTGGTTAAAACCCTACCAC	1020
1021	TCCCCCGCTTTTTTGGCGAATCCTAGTAAGAGTGACAGAAGCAGGTGGCCCTGTGGGCTG	1080
1081	AGGGTAAGGCTGGGTAGGGTCCTAACAGTGCTCCTTGTCCATCCCTTGGAGCAGATTTTG	1140
1141	TCTGTGGATGGAGACAGTGGCAGCTCCCAQAGTGATGCTGCTGCTAAGGGCTTCCAAACA	1200
1201	TTGCCTGCACCCCTGGAACCTGAACCAGGGATAGACGGGGAGCTCCCCCAGGCTCCTCTGT	1260
1261	GCTTTACTAAGATGGCTCAGTCTCCACTGTGGCCTTGAGTGGCATACTGTTATTCATG	1320
1321	GTTAAGGTAAAGCAGGTCAAGGGATGGCATTGAAAAAATATATTTAGTTTTTAAATATT	1380
1381	TGGGATGGAACCTCCCTACTGACCTCTGACAACCTGGAAACGAGTTTGTACTGAAGTCAGAA	1440
1441	CTTTGGGTTGGGAATGAGATCTAGGTTGTGGCTGCTGGTATGCTTCAGCTTGCTGGCAAT	1500
1501	GATGTGCCTTGACAACCGTGGGCCAGGCCTGGGCCCAGGGACTCTTCCTGTTTCATAAGG	1560
1561	AAAGGAAGAATTGCACTGAGCATTCCACTTAGGAAGAGGATAGAGAAGGATCTGCTCCGC	1620
1621	CTTTGGCCACAGGAGCAGAGGCAGACCTGGGATGCCCCAGTTTCTCTTCAGGGATGGATA	1680
1681	GTGACCTGTCTTCATTTTGCACAGGTAAGAGAGTAGTTAGCTAACCTATGGGAATTATAC	1740
1741	TGTGGGGCCTTGTGAGCTGCTTCTAAGAGGCTAACCTGGAAACTAAGCTCAGAGGCAAGG	1800
1801	TAATAAAGCACTTCAGGGCTTGTCTCCCCAAGTGGGCCTGATTTAGCAGGTGGTCTGCGGG	1860
1861	CGTCCAGGTCAGCACCTTCCTGTAGGGCACTGGGGCTAGGGTCACAGCCCCTAACTCATA	1920
1921	AAGCAATCAAAGAACCATTAGAAAGGGCTCATTAAAGCCTTTTGGACACAGGACCCCAGAG	1980
1981	AGGAAAAAGTGACTTGCCCAAGGTCGTAAGCAAGCTACTGGCATGGCAAGAGCCCAGCTT	2040
2041	CCTGACGGAGCGCAACATTTCTCCACTGCACTGTGCTAGCAGCTCAGCAGGGCCTCTAAC	2100

Figure 1
t-PALP
3/3

2101 CTGTGATGTCACACTCAAGAGGCCTTGGCAGCTCCTAGCCATAGAGCTTCCTTTCCAGAA 2160
2161 CCCTTCCACTGCCCAATGTGGAGACAGGGGTTAGTGGGGCTTCTATGGAGCCATCTGCT 2220
2221 TTGGGGACCTAGACCTCAGGTGGTCTCTTGGTGTAGTGATGCTGGAGAAGAGAATATTA 2280
2281 CTGGTTTCTACTTTTCTATAAAGGCATTTCTCTATAAAAAAAAAAAAAA 2329